



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1**

DENISE CARLON, ESQUIRE  
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Attorneys for THE BANK OF NEW YORK  
MELLON FKA THE BANK OF NEW YORK AS  
SUCCESSOR INDENTURE TRUSTEE TO  
JPMORGAN CHASE BANK, N.A., AS  
INDENTURE TRUSTEE FOR THE CWABS  
REVOLVING HOME EQUITY LOAN ASSET  
BACKED NOTES, SERIES 2004-Q

In Re:

Albert J. Dicarlo,  
Debtor.

Order Filed on June 17, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 19-17880 VFP  
Adv. No.:  
Hearing Date: 6/6/19 @ 8:30 a.m.  
Judge: Vincent F. Papalia

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: June 17, 2019**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".  
\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

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Debtor:

Albert J. DiCarlo

Case No.:

19-17880 VFP

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS REVOLVING HOME EQUITY LOAN ASSET BACKED NOTES, SERIES 2004-Q, holder of a mortgage on real property located at 15 Sheep Hill Road, Boonton, NJ, 07005, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and John A. Lipowski, Esquire, attorney for Debtor, Albert J. DiCarlo, and for good cause having been shown;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by August 29, 2019, or as extended by an application to extend the loss mitigation period; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the Court's loss mitigation order while the loss mitigation period is active; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee is not to pay the arrears while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is not successful, Debtor shall modify the plan to otherwise address Secured Creditor's claim; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

**Certificate of Notice Page 3 of 3**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Albert J. DiCARLO  
 Debtor

Case No. 19-17880-VFP  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Jun 17, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 19, 2019.

db +Albert J. DiCARLO, 15 Sheep Hill Road, Boonton, NJ 07005-8905

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 19, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 17, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS REVOLVING HOME EQUITY LOAN ASSET BACKED NOTES, SERI dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

John A. Lipowski on behalf of Debtor Albert J. DiCARLO jal1001@aol.com

Marie-Ann Greenberg magecf@magrtrustee.com

Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS REVOLVING HOME EQUITY LOAN ASSET BACKED NOTES, SERI rsolarz@kmllawgroup.com

Robert P. Saltzman on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Premium Mortgage Acquisition Trust c/o Rushmore Loan Management Services dnj@pbslaw.org  
 U.S. Trustee USTPRegion03.NE. ECF@usdoj.gov

TOTAL: 6